

The Public Agenda Session of the Board of Public Works was convened at 10:35 a.m. on July 20, 2006, by Board President, Gary A. Gilot, with Mr. Carl P. Littrell present. Mr. Donald E. Inks was not present. Also present was Board Attorney Thomas Bodnar. Board of Public Works Clerk Angela Jacob presented the Board with a proposed agenda of items presented by the public and by City Staff.

AGENDA ITEMS ADDED

Upon a motion made by Mr. Inks, seconded by Mr. Littrell, and carried, the following items were added to the Agenda:

- Contract – Lawson-Fisher and Associates
- Claim - Lawson-Fisher and Associates
- Resolution No. 39-2006
- Monthly Report – Central Services

Board members discussed the following item(s) from that list.

- Bid Award for Firefighter Protective Clothing
Mr. Rich Switalski, Mr. Jim Lopez, and Mr. Mark Nowicki, Fire Department stated all bids were non-compliant. There was a time frame involved due to FEMA grant funds involved. Mr. Tom Bodnar recommended that all bids be rejected. The Board authorized the Fire Department to act as the Agent for the Board of Public Works to formally notify all bidders to resubmit their bid by July 24, 2006 no later than 9:00 a.m. by fax. Mr. Bodnar stated the notification to bidders should include to each bidder their non-compliance information for the re-bid. Mr. Bodnar stated that bidders must return an “Acknowledgement” fax form, which will be faxed to each bidder.
- Advertise for Receipt of Bids – Road Salt
Mr. Jason Durr, Engineering, discussed with the Board the City’s inability to use the State award for road salt.
- Advertise for Receipt of Bids – Ireland-Miami-Chippewa Basin Improvements/Title Sheet
Mr. Jason Durr, Engineering, stated the project will solve some flooding problems, and that fill material would come from the golf course.
- Proposal – Edison #3A Well Replacement
Mr. Andy Wierzbicki and Mr. John Wiltrout, Water Works, discussed with the Board the estimated cost of the project, and whether to seek quotes or advertise for bids.
- Service Proposal – Gripp Inc.
Mr. Patrick Henthorn, Environmental Services, discussed the service for flow monitor preventative maintenance.
- Monthly Report – Central Services
Ms. Toni Higbee, Central Services, discussed the Goals and Performance Measures Report.
- Monthly Report – Water Works
Mr. Andy Wierzbicki, Water Works, discussed the Monthly Report and the Goals and Performance Measures Report.
- Safety Report – Water Works
Mr. Andy Wierzbicki, Water Works, discussed the Safety Report for June, 2006.
- Mr. Bob Krol, Water Works, discussed the procedure to follow to accomplish upcoming projects on Brick Road and Phase 3 of Lafayette Falls.
- Discussion – Block Parties
The Board discussed Block Parties and a complaint that was received. The Board discussed requiring sponsors to provide a resident signature page with a majority of affected neighbors listed, and a requirement in some cases for submittal of a Bond by sponsors. Mr. Gary Gilot stated that the Block Party Resolution may need to be updated to reflect changes in the application form.

PUBLIC AGENDA SESSION

JULY 20, 2006

The Clerk was instructed to post the agenda and notify the media and other Persons who have requested notice of the meeting agenda. No other business came before the Board. The meeting adjourned at 12:30 p.m.

BOARD OF PUBLIC WORKS

Gary A. Gilot, President

Carl P. Littrell, Member

Donald E. Inks, Member

ATTEST:

Angela K. Jacob, Clerk

REGULAR MEETING

JULY 24, 2006

The regular meeting of the Board of Public Works was convened at 9:30 a.m. on July 24, 2006, by Board President, Gary A. Gilot, with Mr. Carl P. Littrell and Mr. Donald E. Inks present. Also present was Board Attorney Thomas Bodnar.

AGENDA ITEM ADDED

- Contract Amendment – Douglas Road Sewer

APPROVE MINUTES OF PREVIOUS MEETING

Upon a motion made by Mr. Littrell, seconded by Mr. Inks, and carried, the minutes of the agenda session, regular and special meetings of the Board held on July 6, 10, and 17, 2006, were approved.

OPENING OF BIDS – HARTER HEIGHTS – STORM SEWER SEPARATION PROJECT (NORTH SHORE DRIVE, LEEPER AVENUE, PEASHWAY STREET, STANFIELD STREET, FOSTER STREET, & ST. JOSEPH STREET) – PROJECT NO. 105-012 (SEWER FUND) ***BID OPENED AT 10:30 A.M.***

This was the date set for receiving and opening of sealed bids for the above referred to project. The Clerk tendered proofs of publication of Notice in the South Bend Tribune and the Tri-County News, which were found to be sufficient. The following bids were opened and publicly read:

RIETH-RILEY CONSTRUCTION CO., INC.

25200 State Road 23
South Bend, Indiana 46634

Bid was signed by: Mr. Eugene Yarkie

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID:	Base Bid:	\$1,712,583.00
	Alternate A:	\$289,998.00
	Alternate B:	\$191,599.50

HERRMAN & GOETZ, INC.

225 South Lafayette Boulevard
South Bend, Indiana 46601

Bid was signed by: Mr. Thomas J. Herrman

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID: Base Bid: \$1,444,388.90
 Alternate A: \$258,900.00
 Alternate B: \$168,900.00

SELGE CONSTRUCTION CO., INC.

2833 South 11th Street
Niles, Michigan 49120

Bid was signed by: Mr. John Szuba

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID: Base Bid: \$1,508,725.00
 Alternate A: \$318,240.30
 Alternate B: \$201,781.40

HRP CONSTRUCTION, INC.

5777 Cleveland Road
Post Office Box 266
South Bend, Indiana 46624-0266

Bid was signed by: Mr. Paul Fallon

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID: Base Bid: \$1,396,779.40
 Alternate A: \$276,499.60
 Alternate B: \$171,695.00

Upon a motion made by Mr. Littrell, seconded by Mr. Inks and carried, the above bids were referred to Engineering and the consultant for review and recommendation.

OPENING/AWARD OF BIDS – OLIVER GATEWAY NEIGHBORHOOD PUBLIC WORKS – SIDEWALKS, APPROACHES, AND CURBS - (800 NORTH BLOCK OF WALNUT STREET) – PROJECT NO. 106-042 (CDBG)

This was the date set for receiving and opening of sealed bids for the above referred to project. The Clerk tendered proofs of publication of Notice in the South Bend Tribune and the Tri-County News, which were found to be sufficient. The following bids were opened and publicly read:

L.L. GEANS CONSTRCUTION

1923 North Home Street
Mishawaka, Indiana 46545

Bid was signed by: Mr. Mike Glenn

Non-Collusion Affidavit was in order

Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID: \$75,385.00

RIETH-RILEY CONSTRUCTION CO., INC.

25200 State Road 23
South Bend, Indiana 46614

Bid was signed by: Mr. Chris Weinkauff

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID: \$79,495.00

WALSH & KELLY, INC.

24358 State Road 23
South Bend, Indiana 46614

Bid was signed by: Mr. Kevin Kelly

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID: \$790,120.00

SELGE CONSTRUCTION CO., INC.

2833 South 11th Street
Niles, Michigan 49120

Bid was signed by: Mr. John Szuba

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID: \$96,070.00

Upon a motion made by Mr. Littrell, seconded by Mr. Inks and carried, the above bids were referred to Engineering and Community & Economic Development for review and recommendation.

After review of those bids, Mr. Rob Nichols, Engineering, recommends that the Board award the contract to the lowest responsible and responsive bidder, L.L. Geans Construction Co., Inc. in the amount of \$75,539.00. Therefore, Mr. Gilot made a motion that the recommendation be accepted and the bid be awarded as outlined above. Mr. Inks seconded the motion, which carried.

OPENING/AWARD OF BIDS – 2006 CONCRETE PAVEMENT REPAIRS – PROJECT NO. 106-015 (LRSA)

This was the date set for receiving and opening of sealed bids for the above referred to project. The Clerk tendered proofs of publication of Notice in the South Bend Tribune and the Tri-County News, which were found to be sufficient. The following bids were opened and publicly read:

WALSH & KELLY, INC.

24358 State Road 23
South Bend, Indiana 46614

Bid was signed by: Mr. Kevin Kelly

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID: \$174,710.00

RIETH-RILEY CONSTRUCTION CO., INC.

25200 State Road 23
South Bend, Indiana 46614

Bid was signed by: Mr. Chris Weinkauff

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID: \$198,510.00

SELGE CONSTRUCTION CO., INC.

2833 South 11th Street
Niles, Michigan 49120

Bid was signed by: Mr. John Szuba

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID: \$199,400.00

JCI BRIDGE GROUP, INC.

419 Oak Breeze Drive
Valparaiso, Indiana 46383

Bid was signed by: Mr. Carl Tungate

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID: \$231,390.00

Upon a motion made by Mr. Littrell, seconded by Mr. Gilot and carried, the above bids were referred to Engineering for review and recommendation.

After review of those bids, Mr. Rob Nichols, Engineering, recommends that the Board award the contract to the lowest responsible and responsive bidder, Walsh & Kelly, Inc., in the amount of \$174,710.00. Therefore, Mr. Littrell made a motion that the recommendation be accepted and the bid be awarded as outlined above. Mr. Inks seconded the motion, which carried.

OPENING OF BIDS – MISHAWAKA AVENUE STREETSCAPES – SIDEWALKS AND LIGHTING - PROJECT NO. 106-048 (GENERAL FUND)

This was the date set for receiving and opening of sealed bids for the above referred to project. The Clerk tendered proofs of publication of Notice in the South Bend Tribune and the Tri-County News, which were found to be sufficient. No Bids were received for this project.

OPENING/AWARD OF BIDS – NEAR WEST SIDE NPC PUBLIC WORKS –
SIDEWALKS, APPROACHES, CURBS - (200-300 BLOCKS OF HUEY STREET
AND 200 BLOCK OF O'BRIEN STREET) PROJECT NO. 106-040 (CDBG)

This was the date set for receiving and opening of sealed bids for the above referred to project. The Clerk tendered proofs of publication of Notice in the South Bend Tribune and the Tri-County News, which were found to be sufficient. The following bids were opened and publicly read:

ORTIZ CONCRETE

530 South Pulaski
South Bend, Indiana 46619

Bid was signed by: Mr. Jose Ortiz

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was not submitted
Five percent (5%) Bid Bond was submitted

BID: Base Bid: \$81,447.50
Alternate A: \$37,345.00

RIETH-RILEY CONSTRUCTION CO., INC.

25200 State Road 23
South Bend, Indiana 46614

Bid was signed by: Mr. Chris Wienkauf

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was submitted
Five percent (5%) Bid Bond was submitted

BID: Base Bid: \$107,740.00
Alternate A: \$49,365.00

L.L. GEANS CONSTRUCTION COMPANY

1923 North Home Street
Mishawaka, Indiana 46545

Bid was signed by: Mr. Mike Glenn

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was submitted
Five percent (5%) Bid Bond was submitted

BID: Base Bid: \$106,735.00
Alternate A: \$50,710.00

MCINTYRE JONES, INC.

2522 West Sixth Street
Mishawaka, Indiana 46544

Bid was signed by: Ms. Kelly Healy

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was submitted
Five percent (5%) Bid Bond was submitted

BID: Base Bid: \$88,803.45
Alternate A: \$40,577.40

SELGE CONSTRUCTION COMPANY, INC.

2833 South 11th Street
Niles, Michigan 49120

Bid was signed by: Mr. John Szuba

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was submitted
Five percent (5%) Bid Bond was submitted

BID: Base Bid: \$136,940.00
Alternate A: \$66,515.00

WALSH & KELLY, INC.

24358 State Road 23
South Bend, Indiana 46614

Bid was signed by: Mr. Kevin Kelly

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was submitted
Five percent (5%) Bid Bond was submitted

BID: Base Bid: \$122,985.00
Alternate A: \$60,940.00

Upon a motion made by Mr. Littrell, seconded by Mr. Inks and carried, the above bids were referred to Engineering and Community & Economic Development for review and recommendation.

After review of those bids, Mr. Rob Nichols, Engineering, recommends that the Board award the contract to the lowest responsible and responsive bidder, Ortiz Concrete, subject to the submittal of his Non-Discrimination Commitment Form, (which was received), in the amount of \$118,793.00. Mr. Inks stated that Mr. Ortiz had performed work at his home and this was found not to be conflict. Mr. Gilot made a motion that the recommendation be accepted and the bid be awarded as outlined above. Mr. Inks seconded the motion, which carried.

OPENING/AWARD OF BIDS – LASALLE PARK MODEL BLOCK – SIDEWALKS, APPROACHES, CURBS - (100-200 BLOCKS OF NORTH WELLINGTON STREET) – PROJECT NO. 106-041 (CDBG)

This was the date set for receiving and opening of sealed bids for the above referred to project. The Clerk tendered proofs of publication of Notice in the South Bend Tribune and the Tri-County News, which were found to be sufficient. The following bids were opened and publicly read:

WALSH & KELLY, INC.

24358 State Road 23
South Bend, Indiana 46614

Bid was signed by: Mr. Kevin Kelly

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID: \$158,807.50

RIETH-RILEY CONSTRUCTION CO., INC.

25200 State Road 23
South Bend, Indiana 46614

Bid was signed by: Mr. Chris Weinkauff

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID: \$174,240.00

L.L. GEANS CONSTRUCTION COMPANY

1923 North Home Street
Mishawaka, Indiana 46545

Bid was signed by: Mr. Mike Glenn

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID: \$185,625.00

SELGE CONSTRUCTION CO., INC.

2833 South 11th Street
Niles, Michigan 49120

Bid was signed by: Mr. John Szuba

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID: \$209,190.00

Upon a motion made by Mr. Littrell, seconded by Mr. Inks and carried, the above bids were referred to Engineering and Community & Economic Development for review and recommendation.

After review of those bids, Mr. Rob Nichols, Engineering, recommends that the Board award the contract to the lowest responsible and responsive bidder, Walsh & Kelly, Inc., in the amount of \$158,807.50. Therefore, Mr. Gilot made a motion that the recommendation be accepted and the bid be awarded as outlined above. Mr. Inks seconded the motion, which carried.

**OPENING/AWARD OF BIDS – ORGANIC RESOURCES DRIVE ON SCALE AND
AUTOMATIC GATE (AUTO GATE WITH KEYPAD – CAPITAL BUDGET-
BUILDING IMPROVEMENTS; SCALE – CAPITAL BUDGET-
TREATMENT/DISPOSAL EQUIPMENT) – PROJECT NO. 106-056**

This was the date set for receiving and opening of sealed bids for the above referred to project. The Clerk tendered proofs of publication of Notice in the South Bend Tribune and the Tri-County News, which were found to be sufficient. The following bid was opened and publicly read:

ANTIBUS SCALES & SYSTEMS, INC.

3600 West McGill Street, Suite 100
South Bend, Indiana 46628

Bid was signed by: Mr. Dennis Conrad

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID: \$94,850.00

Upon a motion made by Mr. Littrell, seconded by Mr. Inks and carried, the above bid was referred to Environmental Services for review and recommendation.

After reviewing the bid, Mr. Patrick Henthorn, Environmental Services, recommends that the Board award the contract to the lowest responsible and responsive bidder, Antibus Scales & Systems, Inc., in the amount of \$94,850.00. Therefore, Mr. Gilot made a motion that the recommendation be accepted and the bid be awarded as outlined above. Mr. Inks seconded the motion, which carried.

OPENING OF BIDS – RAILROAD BRIDGE AESTHETIC ENHANCEMENTS & PARKING LOT IMPROVEMENTS PHASE 1 – PAINTING AND CONCRETE STAIN & SEAL – PROJECT NO. 106-033 (TRANSP0)

This was the date set for receiving and opening of sealed bids for the above referred to project. The Clerk tendered proofs of publication of Notice in the South Bend Tribune and the Tri-County News, which were found to be sufficient. The following bids were opened and publicly read:

N.I. SPANOS PAINTING, INC.

1310 West 99th Avenue
Crown Point, Indiana 46307

Bid was signed by: Mr. Nick Spanos

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID: Base Bid: \$316,455.00
Alternate 1: \$54,000.00

ZIOLKOWSKI CONSTRUCTION, INC.

1005 S. Lafayette Boulevard
South Bend, Indiana 46601

Bid was signed by: Mr. Bill Favors

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID: Base Bid: \$359,310.00
Alternate 1: \$78,869.00

Upon a motion made by Mr. Littrell, seconded by Mr. Inks and carried, the above bids were referred to Engineering and the consultant for review and recommendation.

OPENING OF BIDS – DYLAN DRIVE EXTENSION – PROJECT NO. 106-035 (AEDA TIF)

This was the date set for receiving and opening of sealed bids for the above referred to project. The Clerk tendered proofs of publication of Notice in the South Bend Tribune and the Tri-County News, which were found to be sufficient. The following bids were opened and publicly read:

HERRMAN & GOETZ D/B/A UNDERGROUND SERVICES

225 South Lafayette Boulevard
South Bend, Indiana 46601

Bid was signed by: Mr. Robert E. Youngs, Jr.

Non-Collusion Affidavit was in order

Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID: Base Bid: \$1,537,400.00
 Alternate 1: \$135,560.00
 Alternate 2: \$87,281.00

RIETH-RILEY CONSTRUCTION CO., INC.

25200 State Road 23
Post Office Box 1775
South Bend, Indiana 46634

Bid was signed by: Mr. Eugene Yarkie

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID: Base Bid: \$1,498,801.00
 Alternate 1: \$141,645.00
 Alternate 2: \$82,761.00

HRP CONSTRUCTION, INC.

5777 Cleveland Road
Post Office Box 266
South Bend, Indiana 46624-0266

Bid was signed by: Mr. Paul Fallon

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID: Base Bid: \$1,735,437.91
 Alternate 1: \$132,070.00
 Alternate 2: \$94,510.01

R&R EXCAVATING, INC.

2010 Went Avenue
Mishawaka, Indiana 46545

Bid was signed by: Mr. William Loudin

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID: Base Bid: \$1,439,234.27
 Alternate 1: \$137,312.00
 Alternate 2: \$87,119.01

WALSH & KELLY, INC.

24358 State Road 23
South Bend, Indiana 46614

Bid was signed by: Mr. Kevin Kelly, Inc.

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID: Base Bid: \$1,430,287.89

Alternate 1: \$125,065.00
Alternate 2: \$81,250.01

Upon a motion made by Mr. Littrell, seconded by Mr. Inks and carried, the above bids were referred to Engineering and the consultant for review and recommendation.

OPENING OF BIDS – SALE OF ABANDONED VEHICLES

This was the date set for receiving and opening of sealed bids for the above referred to vehicles. The Clerk tendered proofs of publication of Notice in the South Bend Tribune and the Tri-County News, which were found to be sufficient. The following bids were opened and publicly read:

MR. RYAN PRUGH

54808 Harmony Lane
Elkhart, Indiana 46514

BID:

No.	Make of Vehicle	Year	Bid
9.	Gold Acura Legend	1990	325.75
10.	Blue Hyundai Sonata	1997	279.50

MR. CHUCK ROBBINS

8188 Oak Avenue
Walkerton, Indiana 46374

BID:

No.	Make of Vehicle	Year	Bid
6.	Brown ASM Trailer	2000	\$53.00

MR. JR HINES

11395 East 400N
Groverton, Indiana 46531

BID:

No.	Make of Vehicle	Year	Bid
1.	White Oldsmobile 88	1993	\$210.00
2.	Purple Hyundai Accent	1996	\$200.00
3.	Red Ford Thunderbird	1989	\$200.00
4.	Tan Chevrolet Van	1995	\$200.00
5.	Gray BMW 325IS	1987	\$210.00
6.	Brown ASM Trailer	2000	\$200.00
7.	Red Chevrolet 1500	1988	\$300.00
8.	Silver Buick Regal	1989	\$200.00
9.	Gold Acura Legend	1990	\$200.00
10.	Blue Hyundai Sonata	1997	\$210.00
11.	Black Pontiac Firebird	1987	\$175.00
12.	White Pontiac Grand Am	1992	\$175.00
13.	Gold Nissan Altima	1996	\$200.00
14.	Gray Chevrolet S-10	1996	\$225.00
15.	Red Chevrolet Camaro	1992	\$200.00
16.	Black Pontiac Bonneville	1989	200.00
17.	Green Cadillac Sedan	1994	\$210.00
18.	Tan Olsmobile Royale 88	1995	\$175.00
19.	Gray Dodge Ram	1984	\$175.00
20.	Red Mercury Tracer	1994	\$175.00

I.A.P.

3300 South Main Street
South Bend, Indiana 46601

BID:

No.	Make of Vehicle	Year	Bid
1.	White Oldsmobile 88	1993	\$187.00
2.	Purple Hyundai Accent	1996	\$187.60
3.	Red Ford Thunderbird	1989	\$187.60
4.	Tan Chevrolet Van	1995	\$326.50
5.	Gray BMW 325IS	1987	\$187.60
6.	Brown ASM Trailer	2000	\$20.50
7.	Red Chevrolet 1500	1988	\$187.60
8.	Silver Buick Regal	1989	\$187.60
9.	Gold Acura Legend	1990	\$187.60
10.	Blue Hyundai Sonata	1997	\$187.60
11.	Black Pontiac Firebird	1987	\$201.60
12.	White Pontiac Grand Am	1992	\$201.60
13.	Gold Nissan Altima	1996	\$103.00
14.	Gray Chevrolet S-10	1996	\$210.60
15.	Red Chevrolet Camaro	1992	\$210.60
16.	Black Pontiac Bonneville	1989	\$201.60
17.	Green Cadillac Sedan	1994	\$256.80
18.	Tan Olsmobile Royale 88	1995	\$326.50
19.	Gray Dodge Ram	1984	\$210.60
20.	Red Mercury Tracer	1994	\$187.60

MR. STEVE HUBLER

244 Western Avenue
South Bend, Indiana 46619

BID:

No.	Make of Vehicle	Year	Bid
10.	Blue Hyundai Sonata	1997	\$215.00
18.	Tan Olsmobile Royale 88	1995	\$426.50

TERRY’S AUTO SALVAGE

1926 Tamarak Road
Walkerton, Indiana 46574

BID:

No.	Make of Vehicle	Year	Bid
1.	White Oldsmobile 88	1993	\$225.00
2.	Purple Hyundai Accent	1996	\$251.00
3.	Red Ford Thunderbird	1989	\$150.00
4.	Tan Chevrolet Van	1995	\$202.00
5.	Gray BMW 325IS	1987	\$201.00
7.	Red Chevrolet 1500	1988	\$201.00
8.	Silver Buick Regal	1989	\$201.00
9.	Gold Acura Legend	1990	\$201.00
10.	Blue Hyundai Sonata	1997	\$251.00
11.	Black Pontiac Firebird	1987	\$201.00
12.	White Pontiac Grand Am	1992	\$171.00
13.	Gold Nissan Altima	1996	\$201.00
14.	Gray Chevrolet S-10	1996	\$275.00
15.	Red Chevrolet Camaro	1992	\$301.00
16.	Black Pontiac Bonneville	1989	\$202.00
17.	Green Cadillac Sedan	1994	\$401.00
18.	Tan Olsmobile Royale 88	1995	\$301.00
19.	Gray Dodge Ram	1984	\$210.00
20.	Red Mercury Tracer	1994	201.00

MR. RICHARD HEIM
4885 West U.S. Highway
Buchanan, Michigan 49107

BID:

No.	Make of Vehicle	Year	Bid
15.	Red Chevrolet Camaro	1992	\$163.07

MS. JOYCE CAMPBELL
227 West Jefferson
1300 County-City Building
South Bend, Indiana 46601

BID:

No.	Make of Vehicle	Year	Bid
10.	Blue Hyundai Sonata	1997	\$399.56

MR. JOE CLEMONS
8169 North Oak Avenue
Walkerton, Indiana 46574

BID:

No.	Make of Vehicle	Year	Bid
10.	Blue Hyundai Sonata	1997	\$301.00
14.	Gray Chevrolet S-10	1996	\$251.00
15.	Red Chevrolet Camaro	1992	\$251.00

MR. MICHAEL ROHRBAUCH
25341 West Edison Road
South Bend, Indiana 46628

BID:

No.	Make of Vehicle	Year	Bid
1.	White Oldsmobile 88	1993	\$125.00
2.	Purple Hyundai Accent	1996	\$125.00
3.	Red Ford Thunderbird	1989	\$125.00
4.	Tan Chevrolet Van	1995	\$125.00
5.	Gray BMW 325IS	1987	\$125.00
6.	Brown ASM Trailer	2000	\$125.00
7.	Red Chevrolet 1500	1988	\$125.00
8.	Silver Buick Regal	1989	\$125.00
9.	Gold Acura Legend	1990	\$125.00
10.	Blue Hyundai Sonata	1997	\$125.00
11.	Black Pontiac Firebird	1987	\$125.00
12.	White Pontiac Grand Am	1992	\$125.00
13.	Gold Nissan Altima	1996	\$125.00
14.	Gray Chevrolet S-10	1996	\$125.00
15.	Red Chevrolet Camaro	1992	\$125.00
16.	Black Pontiac Bonneville	1989	\$125.00
17.	Green Cadillac Sedan	1994	\$125.00
18.	Tan Olsmobile Royale 88	1995	\$125.00
19.	Gray Dodge Ram	1984	\$125.00
20.	Red Mercury Tracer	1994	\$125.00

BADLANDS

66521 State Road 331
Wyatt, Indiana 46595

BID:

No.	Make of Vehicle	Year	Bid
10.	Blue Hyundai Sonata	1997	\$150.00
15.	Red Chevrolet Camaro	1992	\$215.00
17.	Green Cadillac Sedan	1994	\$190.00

Upon a motion made by Mr. Littrell, the above bids were referred to Code Enforcement for review and recommendation. Mr. Inks seconded the motion which carried.

TABLE OPENING OF QUOTATIONS – DEMOLITION OF 1010 LINCOLNWAY EAST (FORMER FIRE STATION) – PROJECT NO. 105-082 (GENERAL FUND)

Mr. Littrell made a motion, seconded by Mr. Inks to table the above opening of quotations until the Special Meeting of August 7, 2006.

AWARD BID – ELEVATOR MAINTENANCE CONTRACT – PROJECT NO. 106-051

Mr. Tim Williams, Economic Development, advised the Board that on June 12, 2006, bids were received and opened for the above referred to project for the Wayne Street and the Main/Colfax Garages for a period through the end of August 2010. After reviewing those bids, Mr. Williams recommends that the Board award the contract to the lowest responsive and responsible bidder, Kone, Inc., 433 Fernhill Avenue, Fort Wayne, Indiana, in the monthly amount of \$660.00 for each garage. Therefore, Mr. Inks made a motion that the recommendation be accepted and the bid be awarded as outlined above. Mr. Littrell seconded the motion, which carried.

TABLE BID AWARD – TWO HUNDRED FORTY-EIGHT (248) MORE OR LESS, FIREFIGHTERS PROTECTIVE CLOTHING

Mr. Gilot made a motion to table the above referenced bid award. Mr. Inks seconded the motion, which carried.

AWARD BID – FIRE STATION NO. 2, CONTRACT B – PROJECT NO. 106-002B (GENERAL FUND, COIT, EDIT, EMS)

Mr. Carl P. Littrell, City Engineer, advised the Board that on May 25, 2006, bids were received and opened for the above referred to project. Mr. Littrell noted that sufficient funds are available in the General Fund and are pending before the Council for appropriation from EDIT and EMS. After reviewing those bids, Mr. Littrell recommends that the Board award the contract to the lowest responsive and responsible bidder, Brown & Brown General Contractor, 124 South Elkhart Street, Wakarusa, Indiana, in the amount of \$2,104,005.00. Therefore, Mr. Gilot made a motion that the recommendation be accepted and the bid be awarded as outlined above, subject to financing. Mr. Inks seconded the motion, which carried.

TABLE BID AWARD - VOORDE DRIVE EXTENSION – PROJECT NO. 105-069 (AEDA)

Mr. Littrell made a motion that the above referenced bid award be tabled. Mr. Inks seconded the motion, which carried.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS – ROAD SALT 2006 – PROJECT NO. 106-032 (SEWAGE WORKS)

In a memorandum to the Board, Mr. Jason Durr, Engineering, requested permission to advertise for the receipt of bids for the above referred to materials. Therefore, upon a motion made by Mr. Littrell, seconded by Mr. Inks, the above request was approved.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS – IRELAND-MIAMI-CHIPPEWA BASIN IMPROVEMENTS/TITLE SHEET – PROJECT NOS. 105-088A & 105-008B (2005 CIP/COIT)

In a memorandum to the Board, Mr. Jason Durr, Engineering, requested permission to advertise for the receipt of bids for the above referred to project. The Title Sheet for this project was also submitted for approval. Therefore, upon a motion made by Mr. Gilot,

seconded by Mr. Littrell, the above request to advertise and the Title Sheet were approved.

APPROVE REQUEST TO ADVERTISE FOR RECEIPT OF BIDS – SALE OF ABANDONED VEHICLES

Mrs. Kathy Eli, Department of Code Enforcement, requested permission to advertise for the sale of approximately eleven (11) abandoned vehicles, which are being stored at Super Auto Salvage Corporation, 3300 South Main Street, South Bend, Indiana. It was noted that all vehicles have been stored more than fifteen (15) days, identification checks had been run for auto theft and the owners and lienholders notified. Upon a motion made by Mr. Littrell, seconded by Mr. Inks, and carried, the above request was approved.

APPROVE CHANGE ORDER NO. 4 (FINAL) AND PROJECT COMPLETION AFFIDAVIT – HARRIS STREET IMPROVEMENTS – 400 & 500 BLOCK – MCINTYRE JONES – PROJECT NO. 105-022 (CDBG)

Mr. Gilot advised that Thia Vawter, Engineering, has submitted Change Order No. 4 (Final), indicating that the contract amount be decreased by \$42,224.03 for a new contract sum including this Change Order in the amount of \$129,389.80. Additionally submitted was the Project Completion Affidavit indicating this new final cost. Upon a motion made by Mr. Littrell, seconded by Mr. Inks, and carried, Change Order No. 4 (Final) and the Project Completion Affidavit were approved subject to the filing of the appropriate three-year Maintenance Bond.

APPROVAL OF AGREEMENTS/CONTRACTS /PROPOSALS/ADDENDA

The following Agreements/Contracts/Proposals/Addenda were presented to the Board for approval:

TYPE	BUSINESS	DESCRIPTION	COST	MOTION/ CARRIED
Grant Agreement	LaSalle Area Housing Repair & Improvement Program	1126 North O'Brien	\$4,990.00	Gilot/Littrell
Grant Agreement	LaSalle Area Housing Repair & Improvement Program	1333 North O'Brien	\$950.45	Gilot/Littrell
Proposal	Peerless Midwest	Edison #3A Well Replacement	\$150,000.00	Gilot/Inks WITHDRAWN
Agreement	Corrpro Water Works	Cathodic Protection at Northwest Tank	\$515.00	Littrell/Inks
Proposal	Weaver Boos Consultants LLC	2006 Groundwater and Methane Gas Reporting – Fredrickson Park	\$6,495.00	Gilot/Inks SUBJECT TO FINANCING
Proposal	Weaver Boos Consultants North Central, LLC	Geophysical Survey – Sears Property – 1340 South Bend Avenue	\$9,900.00	Gilot/Inks
Grant Agreement	Rum Village Residential Enhancement	2013 Philippa Street	\$2,483.00	Gilot/Inks
Grant Agreement	Rum Village Residential Enhancement	1640 South Grant Street	\$2,090.00	Gilot/Inks
Grant Agreement	Rum Village Residential Enhancement	1905 South Philippa Street	\$5,000.00	Gilot/Inks
Grant	Rum Village	2218 West	\$1,950.00	Gilot/Inks

TYPE	BUSINESS	DESCRIPTION	COST	MOTION/ CARRIED
Agreement	Residential Enhancement	Indiana Avenue		
Agreement	Downtown South Bend	Allow Expenditure of Program Income		Inks/Gilot TABLED
Construction Contract	Walsh & Kelly, Inc.	Bendix Drive and Lathrop Drive Intersection Reconstruction	\$827,412.50	Gilot/Inks
Construction Contract	Herrman & Goetz dba Underground Services	Blackthorn Corporate Office Park Sanitary Sewer and Water Main Relocation	\$118,957.00	Inks/Littrell
Addendum	Community Development	Neighborhood Public Works – Time Extension to December 31, 2006	No Change	Inks/Littrell
Grant Agreement	Kenmore Street Model Block Neighborhood Residential Enhancement	3620 Dunham Street	\$1,630.39	Inks/Littrell
Grant Agreement	West Side Residential Enhancement	502 South Bendix	\$2,321.00	Inks/Littrell
Grant Agreement	West Side Residential Enhancement	2516 West Grace	\$5,000.00	Inks/Littrell
Grant Agreement	West Side Residential Enhancement	506 South Dundee	\$2,587.50	Inks/Littrell
Grant Agreement	West Side Residential Enhancement	830 South Meade	\$3,997.50	Inks/Littrell
Grant Agreement	West Side Residential Enhancement	436 South Camden	\$3,606.00	Inks/Littrell
Grant Agreement	West Side Residential Enhancement	420 South Warren	\$3,632.50	Inks/Littrell
Service Proposal	Gripp, Inc.	Flow Monitor PM	\$9,093.00	Gilot/Inks
Supplemental Agreement	MPA Architects	Additional Services – New Fire Station No. 2	\$33,500.00	Littrell/Inks
Contract Amendment	Eclipse, LLC	Douglas Road Sewer – Clarifications		Gilot/Inks

APPROVAL OF YOUTH GRANT AGREEMENT – NOTRE DAME COMMUNITY RELATIONS (GENERAL FUND)

Upon a motion made by Mr. Inks, seconded by Mr. Littrell and carried, a Youth Grant Agreement, as referenced above, in the amount of \$1,000.00 was approved.

APPROVAL OF BUILDING BLOCK GRANT AGREEMENTS

Upon a motion made by Mr. Littrell, seconded by Mr. Inks and carried, the following Building Block Grant Agreements were approved.

1.	918 West Oak Street	\$125.00
2.	1711 South Oliver Street	\$125.00
3.	1612 Byron Drive	\$125.00
4.	1609 Southeast Drive	\$125.00
5.	1004 Woodward	\$125.00
6.	833 Miner Street	\$125.00
7.	243 East Broadway	\$125.00
8.	823 North Oakridge Drive	\$125.00
9.	625 North Hickory Road	\$125.00
10.	1516 Arcadia Avenue	\$125.00
11.	603 Parkovash	\$125.00
12.	1644 North Iowa Street	\$125.00
13.	509 Studebaker Street	\$125.00
14.	1827 Inwood Road	\$125.00
15.	1515 East Jefferson Blvd	\$125.00
16.	805 South 24 th Street	\$125.00
17.	1621 Altgeld Street	\$125.00
18.	2408 West Ford	\$125.00
19.	2161 Parkview Pl	\$125.00
20.	1725 Philippa Street	\$125.00
21.	1013 Sout Ironwood	\$125.00
22.	1225 North Brookfield	\$125.00
23.	2822 East Edison Road	\$125.00
24.	202 Clearview	\$125.00
25.	1028 West Oak Street	\$125.00
26.	1223 Marietta	\$125.00
27.	755 Sout Warren Street	\$125.00
28.	667 LaPorte Avenue	\$125.00
29.	1121 North Hill Street	\$125.00
30.	2818 Fir Lane	\$125.00
31.	1638 East Calvert Street	\$125.00
32.	5310 Floral Place	\$125.00
33.	1014 Hill Street	\$125.00
34.	2519 Marquette	\$125.00
35.	1201 East Victoria Street	\$125.00
36.	539 Riverside Drive	\$125.00
37.	1325 North Adams	\$125.00
38.	1337 Huffman Drive	\$125.00
39.	5114 Fellows	\$125.00
40.	1934 Fremont	\$125.00
41.	521 North Jacob Street	\$125.00
42.	610 North Harrison	\$125.00
43.	2210 Rockne	\$125.00
44.	2507 West Marquette	\$125.00
45.	3711 Belle Vista	\$125.00
46.	2505 West Grace Street – St. Adalbert	\$2,500.00

APPROVAL OF AFTER SCHOOL GRANT AGREEMENTS

Upon a motion made by Littrell, seconded by Mr. Inks and carried, the following After School Grant Agreements were approved.

1.	Center for the Homeless - 813 South Michigan	\$8,490.00
2.	Living Stones Church - 718 East Donmoyer	\$8,460.00
3.	South Bend Heritage Foundation - Charles Martin Youth Center - 802 Lincolnway West	\$8,490.00
4.	Robinson Learning Center - 921 North Eddy Street	\$4,150.00

5.	South Bend School Corporation - LaSalle Academy - 635 South Main Street	\$6,000.00
6.	South Bend School Corporation - Kennedy Academy - 635 South Main Street	\$5,000.00
7.	LaSalle Academy Robotics - 2701 West Elwood	\$8,250.00
8.	Riley Science Olympiad - 1902 Fellows	\$7,950.00
9.	Corpus Christi School - 2817 Corpus Christi Dr	\$3,700.00
10.	Carousel Family Services - 814 East LaSalle	\$6,675.00
11.	Housing Authority of SB - 501 Alonzo Watson	\$8,030.00
12.	Slice of Life - 816 West LaSalle	\$8,490.00
13.	Lincoln Primary Center - 1425 East Calvert	\$7,837.50
14.	Greater Friendship Church - 206 South Falcon	\$8,470.00
15.	Arbors - 23225 Bellville Circle	\$7,070.00
16.	Faith Temple - COGIC 2313 West Linden	\$8,735.00
17.	Family & Youth Outreach - 141 East Haney	\$2,460.00
18.	Pentecostal Cathedral - 1025 Western Avenue	\$8,460.00
19.	Boys & Girls Club - Harrison 502 Sample	\$7,875.00
20.	Boys & Girls Club - Perley 502 Sample	\$7,875.00
21.	Boys & Girls Club - Sample 502 Sample	\$7,875.00
22.	Boys & Girls Club - Wilson 502 Sample	\$7,875.00

APPROVAL OF STREET CLOSURES

The following street closures were presented to the Board for approval. It was noted that favorable recommendations were received from the appropriate departments.

SPONSOR	EVENT	LOCATION	DATE/TIME	MOTION/ CARRIED
Faith Baptist Church	Vacation Bible School Carnival Kick-Off	Blaine – from California to Vassar	June 29, 2006 – 8:00 a.m. to 3:00 p.m.	Inks/Littrell
Dunham, Scott	Get to Know Your Neighbors Block Party	Piedmont Way – from Woodmont to Trent Way	August 5, 2006 – 1:00 p.m. to 4:00 p.m.	Inks/Littrell
Gloria Dei Lutheran Church	Neighborhood Street Fair	Carroll – from Haney to Broadway	July 30, 2006 – 11:00 a.m. to 3:00 p.m.	Littrell/Inks
Dominguez, Andriana	Birthday Party	Studebaker – from LaPorte to Fassnacht	August 5, 2006 – 4:00 p.m. to 10:00 p.m.	Littrell/Inks
Hall, Rebecca	Encourage Community and Safety on Our Block	Parkovash Avenue from Lafayette to Iroquois	August 12, 2006 – 4:30 p.m. to 7:30 p.m.	Littrell/Inks
St. Paul's Memorial United Methodist Church	Jam 4 The Lamb: Christian Music Concert	LaPorte from Colfax to LaSalle	August 11, 2006 – 5:00 p.m. to 10:00 p.m.	Inks/Littrell SUBJECT TO EVIDENCE BY SPONSOR OF NEIGHBORS' SUPPORT
Koehler, Dave & Vicki	Neighborhood Get Together	Adams from Marquette to Hamilton	August 12, 2006 – 12:00 p.m. to 10:00 p.m.	Inks/Littrell

APPROVAL OF USE OF CITY PROPERTY

The following use of city property was presented to the Board for approval. It was noted that favorable recommendations were received from the appropriate departments.

SPONSOR	EVENT	LOCATION	DATE/TIME	MOTION/ CARRIED
Carriage Hills Homeowners Association	Annual Family Fun Day	Shenandoah Drive in Carriage Hills Sub-Division	August 12, 2006 – 11:00 a.m. to 4:00 p.m.	Littrell/Inks

ADOPT RESOLUTION 39-2006

Upon a motion made by Mr. Inks, seconded by Mr. Littrell and carried, the following Resolution was adopted by the Board of Public Works:

RESOLUTION NO. 39-2006

DISPOSAL OF UNFIT AND/OR OBSOLETE PROPERTY

WHEREAS, it has been determined by the Board of Public Works that the following property is unfit for the purpose for which it was intended and is no longer needed by the City of South Bend:

Flag Poles at Former Studebaker National Museum

WHEREAS, Indiana Code 5-22-22 permits and establishes procedure for disposal of personal property which is unfit for the purpose for which it was intended and which is no longer needed by the City.

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of South Bend that the items listed as an Attachment are no longer needed by the City; are unfit for the purpose for which they were intended and have an estimated value of less than one thousand dollars (\$1,000.00).

BE IT FURTHER RESOLVED, that said items may be transferred or sold at public auction or private sale, without advertising. However, if the property is deemed worthless, such may be demolished or junked.

DATED July 24, 2006.

BOARD OF PUBLIC WORKS
s/Gary A. Gilot, President
s/Carl P. Littrell, Member
s/Donald E. Inks, Member

ATTEST:
s/Angela K. Jacob, Clerk

FILING OF SAFETY REPORT – DEPARTMENT OF PUBLIC WORKS

The Division of Water Works submitted a Safety Report for June 2006. This report reflects injuries/accidents for each month and provide for a comparison. There being no further discussion, upon a motion made by Mr. Gilot, seconded by Mr. Inks and carried, the report was accepted and filed.

FILING OF MONTHLY REPORT – WATER WORKS

Mr. Andy Wierzbicki, Water Works, submitted a report for the Division of Water Works, for the month of June 2006. There being no further discussion, upon a motion made by Mr. Gilot, seconded by Mr. Littrell and carried, the monthly report was accepted and filed.

FILING OF MONTHLY REPORT – CENTRAL SERVICES

Ms. Toni Higbee, Central Services, submitted a report for the Division of Central Services, for the month of June 2006. There being no further discussion, upon a motion

made by Mr. Gilot, seconded by Mr. Inks and carried, the monthly report was accepted and filed.

APPROVE AND/OR RELEASE CONTRACTOR AND EXCAVATION BONDS

Mr. Anthony Molnar, Engineering, recommended that the following Contractor and Excavation Bonds be approved and/or released as follows:

BOND OF EXCAVATION

Denney Excavating

Released Effective July 24, 2006

BOND OF CONTRACTOR

Bowen, Keith & Dawn

Approved Effective July 18, 2006,
Pursuant to Resolution No. 100-2000

There being no further discussion, upon a motion made by Mr. Littrell, seconded by Mr. Inks and carried, the approval and/or release of contractor and excavation bonds were accepted and filed.

APPROVE CLAIMS

Mr. Gilot stated that the following claims were submitted to the board for approval:

Name	Amount of Claim	Date
City of South Bend	\$663,381.39	July 10, 2006
City of South Bend	\$2,500,297.30	July 17, 2006
City of South Bend	\$3,903,114.91	July 24, 2006
Rieth-Riley Construction Company, Inc. (Pay Estimate No. 5) – Ireland Road Reconstruction	\$177,193.75	July 19, 2006

Mr. Gilot made a motion that the claims be approved and the reports as submitted be filed. Mr. Inks seconded the motion, which carried.

PRIVILEGE OF THE FLOOR

Mr. Littrell stated that Troyer Group, Inc. Architect, has requested the Board to provide an additional original-signed Agreement of the Railroad Bridge Aesthetic Enhancements & Parking Lot Improvements Phase 1 – Painting and Concrete Stain & Seal for their records.

Mr. Littrell made a motion that the above referenced request be approved. Mr. Inks seconded the motion, which carried.

RECESS

Upon a motion made by Mr. Inks, seconded by Mr. Littrell and carried, the meeting recessed at 11:18 a.m. to reconvene on Wednesday, July 26, 2006 at 8:45 p.m.

RECONVENE – REGULAR MEETINGJULY 26, 2006

The regular meeting of the Board of Public Works was reconvened at 8:45 a.m. on July 26, 2006, by, with Mr. Carl P. Littrell and Mr. Donald E. Inks present. Board President, Gary A. Gilot was not present. Also present was board Attorney Thomas Bodnar.

REJECT BIDS/CONTINUE AWARD – TWO HUNDRED FORTY-EIGHT (248) MORE OR LESS, FIREFIGHTERS PROTECTIVE CLOTHING (EMS CIP 288)

The South Bend Fire Department and Attorney Thomas Bodnar reviewed the bids.

Mr. Bodnar concluded that the first time the Board of Public Works advertised for bids for fire protective clothing, four (4) bids were received. The Board rejected these bids primarily because they were all higher than expected. Some modifications were made in the non-safety aspect of the specifications with the thought that this would lower the bids. Seven companies replied. All were required, as part of the specifications, to submit a sample of what they bid.

After reviewing the bids and examining the equipment, the Fire Department found shortcomings to various degrees in all bids. Some of these exceptions were noted by the vendor, some were not.

At the Public Works Agenda Session, it was decided that all bidders would be given an opportunity to explain the discrepancies and indicate if they could correct them. A written reply had to be received by fax or personal delivery at the Board of Public Works by 9:00 a.m. July 24, 2006. Six of the companies replied in a timely manner. One did not. The notice specifically indicated that failure to respond on time would result in disqualification as non-responsive. The company which filed the tardy response, Argus Supply Company, had one of the longest lists of exceptions. Because its original submittal could be rejected as non-responsive, because the notice clearly stated that an untimely response would be rejected as non-responsive and because they were the lone tardy bidder, their bid may be rejected as non-responsive.

Five Alarm Fire and Safety had a deceptively short number of exceptions on the original list. Without going into detail, it involved the three major safety components. The specification required 7.5 ounces of protection per square yard in the outer shell. Five Alarm, in its response, said that it could only provide 7.25 ounces per square yard. Considering the City of South Bend is purchasing protective gear, the failure to conform to the specifications in the safety aspect is a critical one and renders the bid non-responsive. Fire Service, Inc., noted on its original bid that the warranty against defects was, contrary to the specifications, for one (1) year only. The company stood by its position when it replied Monday morning. We expect to be able to get five to eight years of use out of the clothing. All other companies were able to give us that warranty. The failure of Fire Service, Inc., to comply with the warranty requirement constitutes a material variation and is grounds for rejection as non-responsive.

Dolton Fire Equipment Sales, Inc., presented a knee pad that did not comply. This was called to their attention in the exceptions. As the firefighters are occasionally required to crawl along the ground to stay under the smoke because of confined space, the knee padding is an important part of the turnout gear, not just for show. The Monday morning fax from them did not address this issue. In addition, Dolton indicated that they could not comply with our requirement of delivery within sixty (60) days from notification of selection for bid. This could put the Federal Grant at risk. No other company indicated such a problem. Failure to address the knee pad deficiency which was specifically called to its attention and the inability to promise the delivery of goods in a timely manner renders the Dolton Fire Equipment Sales, Inc., bid non-responsive.

Hoosier Fire Equipment, Inc., indicated that there were ten (10) items in which they could not conform to the specifications. The cumulative effect of these acknowledged failures renders them non-responsive.

Total Fire Group (\$1462.88 per set) did not have any variations from our specifications.

Environmental Safety Group, Inc., which bid \$1282.40 per set, is apparently the lowest of the two (2) remaining bidders. However, while every other bidder made a good faith attempt at meeting our specifications and preparing a physical package which matched their specifications, it is not clear that this was done by this company. While they did not note it, the outer shell that was sent was only 7 ounces per square yard, not 7.5. There were significant discrepancies in other safety items that became apparent when they were examined, but which the company did not independently acknowledge. They simply responded that it could meet our specifications.

Any remaining discrepancies in what was physically produced by the remaining two (2) companies, while not meeting our specs, did not involve safety items and are not material.

There is a time element involved. A federal grant with deadlines is involved. A final decision must be made no later than the Board's next scheduled meeting, August 7, 2006. To be sure that the material does meet our specifications in every way, there is a need to

examine a set conforming to the resubmitted specs. The review committee will need two working days to examine the materials.

The Board of Public Works rejected five (5) of the bids as non-responsive and that the remaining two (2) bidders be told of where they rank in terms of price and be given the opportunity to produce a physical specimen of the turnout suit that they feel they have bid in their response of Monday morning. The deadline for this submission is Wednesday, August 2, 2006 at 4:30 Eastern Daylight Savings Time at the South Bend Fire Department. The companies are invited to have representatives present when the Fire Department examines the samples later that week.

Therefore, Mr. Littrell made a motion that the five (5) noted bids be rejected, and that the remaining two (2) supply samples for the South Bend Fire Department to review; the samples due by August 2, 2006, with an award to be made at the special meeting of the board on August 7, 2006. Mr. Inks seconded the motion, which carried.

AWARD BID – DYLAN DRIVE EXTENSION – PROJECT NO. 106-035 (AEDA TIF)

Mr. Carl P. Littrell, City Engineer, advised the Board that on July 24, 2006, bids were received and opened for the above referred to project. After reviewing those bids, Mr. Littrell recommends that the Board award the contract to Walsh & Kelly, Inc., South Bend, Indiana, in the amount of \$1,511,537.90, subject to receipt of the Right of Entry and Permanent Easements from Waggoner Farms Development, L.P., the current owner of the property on which the improvements will be constructed (the Right of Way). (The Redevelopment Commission has been negotiating and is in the process of purchasing the Right of Way to complete the project.). Therefore, Mr. Inks made a motion that the recommendation be accepted and the bid be awarded as outlined above. Mr. Gilot seconded the motion, which carried.

ADJOURNMENT

There being no further business to come before the Board, upon a motion made by Mr. Gilot, seconded by Mr. Inks and carried, the meeting adjourned at .

BOARD OF PUBLIC WORKS

Gary A. Gilot, President

Carl P. Littrell, Member

Donald E. Inks, Member

ATTEST:

Angela K. Jacob, Clerk